

REMARKS

Applicants greatly appreciate the Examiner's careful reading of the claims. Applicants also appreciate the Examiner's thoughtful suggestions for simplifying the originally filed claim set,¹ and have amended the claims to conform with the Examiner's suggestions.² The scope of the claims is not changed by these amendments, nor has any new matter been added. The claim amendments are fully supported by the claims as originally filed.

During the telephonic interviews of January 10 and February 4 (see footnote 1, below), Examiner Patterson indicated that the originally filed claim set was confusing, although logically correct. The Examiner found it difficult to determine how to properly group the subject matter of the claims for restriction. Examiner Patterson agreed with Applicants that a revised grouping of claims for restriction purposes would be favored if the claims were restructured. In this regard, the Examiner suggested providing a broad independent claim reciting an antagonist and dependent claims reciting four broad types of antagonists: (1) hydrolases, (2) oxidases, (3) reductases, and (4) transferases. According to the Examiner, the Restriction Requirement could then be a four-way Restriction Requirement, because four of the Examiner's elective groups were already drawn to antagonists comprising these antagonist types (e.g., *Groups 15, 17, 18 and 19*), with the remainder drawn primarily to *subclasses* of the four types.

In the attached response, Applicants have restructured the claims in accordance with the Examiner's suggestions so that most of the subject matter falls into one of the four broad types of antagonists, and Applicants have elected one of the four broad types of antagonists, hydrolases, as provided below. In addition to restructuring the dependency of the claims, claims 6-8, 11-12, 41-43, 45-46, and 48-49 have been amended to indicate their antecedent bases with greater specificity, e.g., by reciting protease(s) or serine hydrolase(s) rather than "enzyme(s)." No new matter is added by these changes and the scope of the claims is unchanged by the amendments. The amendments are fully supported by the claims as originally filed.

A few additional amendments were made in response to comments by the Examiner in Paper 8, p. 15, as well as to correct form generally. Claims 92 and 126 have been

¹ The Examiner's suggestions were made in the Office Action, as well as during a telephone interview on January 10, 2002. The Examiner expressed his general approval of the amendments during a follow-up interview on February 4, 2002.

² Claims that have been amended to change their dependency include claims 6, 8, 11-12, 15, 17, 41, 43-46, 48-50, 52, and 54.

amended to correct obvious errors in claim dependence, and claims 44, 65 and 131 have been amended to correct similar errors relating to antecedent bases. As correctly presumed by the Examiner, claim 126 properly depends on claim 107. See p. 15 of the Office Action. Similarly, claim 92 properly depends from claim 75. Claims 44, 65 and 131 are method claims, not composition claims, and the amendments correct these mistakes. The amended claim set also corrects an error in dependency in the original claims, wherein claim 13, drawn to aspartyl proteases, was dependent from claim 7, which recited serine hydrolases. Aspartyl proteases are not members of the serine hydrolase family. See p. 23 of the specification, lines 24-27; see also claims 50, 86, and 120. As amended, claim 7 now recites *proteases*, a family of enzymes of which aspartyl proteases are members. The amendments of this paragraph were not made for patentability purposes, nor do they affect the substance of the Examiner's restriction requirement or Applicants' response. No new matter has been added, and the scope of the claims is not changed by the amendments. As indicated above, the amendments are fully supported by specification and the claims as originally filed.

Applicants' Election of Claims


Applicants elect *Group 19*, including claims 1-6, 19-26, 37-41, 56-63, 146-147, 153-54, for prosecution on the merits. Please note that four of these claims, claims 146-47 and 153-54, were not previously before the Examiner. Applicants submit they are properly placed in *Group 19* because they link dependent claims placed in *Group 19* by the Examiner (claims 3 and 6, and claims 39 and 41, respectively). Applicants also submit that claim 44 is properly placed within this group, as it corresponds exactly to claim 5, previously placed in *Group 19* by the Examiner. See paper 8, p. 4. Applicants further submit that *Group 19* properly includes claims drawn to sub-classes of hydrolytic enzymes, including proteases and serine hydrolases, such as subtilisin. See specification, e.g., at p. 7, lines 5-11.

An action on the merits of the elected claims and a Notice of Allowance therefore are respectfully requested.

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Respectfully submitted,

By: _____


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